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Refiled 2/2
APR 8 1945 (31)

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

- 1 -

THE UNITED STATES OF AMERICA, et al

- VS -

ARAKI, Sadao, et al

- Defendants -

REQUEST FOR PRODUCTION OF DOCUMENTS AND WITNESSES

1. NOW COMES SATO, Kenryo and requests the Tribunal, in accordance with Article 9 (e) of the Charter, to order the production of the following documents necessary to his defense:

Location: Washington Document Center
Stuart Building, Washington, D. C.
Shipping Advice #15072

<u>Crate No.</u>	<u>Items No.</u>	<u>Description</u>
96, 51 & 66	21	File dealing with classified war prisoners, 1942
650	43	File of non-classified correspondence and records dealing with China Affairs, 1942 (3 bundles)
166	273	Transcript of telegrams exchanged between the chief of staff of the China Expeditionary Army and the Vice-Minister of War on the question of executing U. S. aviators, captives while bombing Japan 25 April to 5 May 1942 (5 pages)
11	375	Mimeographed booklets, "Military Regulations Issued by the G.H. China Expeditionary Army for the Punishment of Enemy Fliers", 13 August 1942 (4 volumes)
?	379	File of miscellaneous correspondence and records of War Ministry, 1940-1942 (1 bundle)

The above-mentioned documents will be needed as defense evidence to show that the accused is not responsible as charged and to prove the policies, utterances and actions of the accused Sato during the time in which he is charged by the indictment.

According to information received by the defense, all the above-mentioned documents have been shipped to Washington Document Center,

Stuart Building, Washington, D. C.

2. It is further requested that the following witnesses be produced for the defense of the above accused Sato, Kenryo:

(1) NISHIMURA, Susumu

- a. This person is a Japanese, resident of Tokyo;
- b. He was Chief of the Military Affairs Section when Sato was Chief of the Military Affairs Bureau. He can give relevant testimony concerning the organization of the army and the duties, responsibilities and powers of the office held by Sato, as well as concerning the fact that the treatment of war prisoners was not dealt with by the Military Affairs Bureau.

(2) SANADA, Joichiro

- a. This person is a Japanese, resident of Tokyo;
- b. He was Chief of the Military Affairs Bureau as successor to Sato. He was in charge of the Liaison Conference between the General Staff and Cabinet as well as of the business of the Conference held in the presence of the Emperor. He can give relevant testimony as to military administrative matters in which Sato was involved.

(3) SHIMOMURA, Sadamu

- a. This person is a Japanese, resident of Tokyo;
- b. He was formerly Minister of War after the time of surrender and is now in Sugamo Prison. He attended the Geneva International War Prisoners Conference held in 1929, as the representative of the Japanese government. He can give relevant testimony as to the reason why Japan signed the treaty adopted by the said conference and yet not ratified it.

(4) ABE, Nobutaka

- a. This person is a Japanese, resident of Tokyo;
- b. He was formerly Prime Minister and Governor General of Korea. He can give relevant testimony as to the fact that Sato had nothing to do with the political manipulations in connection with the formation of the Tojo Cabinet.

(5) HATTA, Shiroji

- a. This person is a Japanese, resident of Sendai;
- b. He is professor of the Tohoku Imperial University and an intimate friend of Sato. He can give relevant testimony as to the personal character of Sato.

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(6) NOMURA, Karoku

- a. This person is a Japanese, resident of Tokyo;
- b. He is a member of the House of Peers and an acquaintance of Sato. He can give relevant testimony as to the personal character of Sato.

(7) SHIRAI, Seishin

- a. This person is a Japanese, resident of Tokyo;
- b. He is an official of the Demobilization Board. He can give relevant testimony as to the personal character of Sato.

SATO, Kenryo

by

KUSANO, Hyoichiro

Freeman, James N.